

ACKNOWLEDGMENTS

The Examiner acknowledges receipt of the amendment filed 8/18/08 wherein claims 1-24, 27, and 29 are canceled; claims 25, 26, and 28 were canceled; and claim 30 was added.

Note: Claims 25, 26, 28, and 30 are pending.

RESPONSE TO APPLICANT'S AMENDMENT/ARGUMENTS

The Applicant's arguments and/or amendment filed 8/18/08 to the rejection of claims 25, 26, and 28 made by the Examiner under 35 USC 103 and 112 have been fully considered and deemed persuasive for reasons of record in Applicant's response. Therefore, the said rejections are hereby withdrawn.

EXAMINER'S AMENDMENT

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it **MUST** be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Mr. Alok Goel on 12/16/08.

The application has been amended as follows.

In claim 30, line 8, after 'response' insert –wherein said allergic response is selected from the group consisting of skin rash, hay fever, sneezing, runny nose, red eyes, and mixtures thereof-.

ALLOWABLE CLAIMS

Claims 25, 26, 28, and 30 are allowable over the prior art of record because the prior art neither anticipates nor renders obvious the in vivo test method for testing allergic response as set forth in independent claims 25, 26, 28, and 30.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Any inquiry concerning this communication or earlier communications from the examiner should be directed to D. L. Jones whose telephone number is (571) 272-0617. The examiner can normally be reached on Mon.-Fri., 6:45 a.m. - 3:15 p.m..

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Michael Hartley can be reached on (571) 272-0616. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/D. L. Jones/
Primary Examiner
Art Unit 1618

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